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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,485	02/12/2004	Bruno Zweideck	A71.12-0002	2330

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EXAMINER

SY, MARIANO ONG

ART UNIT PAPER NUMBER

3683

DATE MAILED: 01/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/777,485

Applicant(s)

ZWEIDECK, BRUNO

Examiner

Mariano Sy

Art Unit

3683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☐ Claim(s) \_\_\_\_ is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02122004.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

### **DETAILED ACTION**

1. The disclosure is objected to because of the following informalities:

page 15, line 11 "lug 61" should be --lug 71--.

Appropriate correction is required.

2. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

### ***Drawings***

3. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "62" has been used to designate both "stud" and "sheath" in figure 3. Corrected drawing sheets are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

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4. Pursuant to 37 CFR 1.83(a), "A pushchair" and "a frame" of claim 1, line 1 must be shown in the drawings. No new matter can be added in accomplishing the above.

***Claim Rejections - 35 USC § 112***

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6. Claims 2-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "it comprises" in line 2. It is unclear what the word "it" stands for.

Claim 4 recites the limitation "the axis of rotation" in line 6. There is insufficient antecedent basis for this limitation in the claim.

Claim 4 recites the limitation "to lock it" in line 7. It is unclear what the word "it" stands for.

Claim 5 recites the limitation "it comprises" in line 2. It is unclear what the word "it" stands for.

Claim 9 recites the limitation "the axis of rotation" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 13 recites the limitation "the absence of an axle" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.

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Claim 14 recites the limitation "the corresponding connection branch" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 14 recites the limitation "this connection branch" in lines 4-5. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the inclusion " in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the slide path" in line 3. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the connection branches" in line 4. There is insufficient antecedent basis for this limitation in the claim.

Claim 15 recites the limitation "the parts integral with them" in lines 4-5. It is unclear what the words "with them" stand for.

Claim 16 recites the limitation "the inclusion " in line 2. There is insufficient antecedent basis for this limitation in the claim.

Claim 16 recites the limitation "the part integral with it" in lines 4-5. It is unclear what the words "with it" stand for.

Claim 19 recites the limitation "a part integral with it" in lines 4-5. It is unclear what the words "with it" stand for.

Claim 20 recites the limitation "it comprises" in line 2. It is unclear what the word "it" stands for.

Claims 3-20 are indefinite due to their dependency to claims 1 and 2.

***Claim Rejections - 35 USC § 102***

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

8. Claims 1 and 2 are rejected under 35 U.S.C. 102(b) as being anticipated by Yang et al. (US 6,341,672).

Re-claim 1 Yang et al. disclose, as shown in fig. 1-4, a pushchair comprising a frame carried by at least three wheels, at least two of the wheels being mounted on opposite sides of the frame, locking/unlocking means being provided on each of the two wheels and being connected to each other so as to act simultaneously, said locking/unlocking means comprises locking control means 32b (when press down) and unlocking control means 32a (when press down) distinct from said locking control means, said locking control means and said unlocking control means being mounted in proximity to the respective wheel.

Re-claim 2 Yang et al. disclose further comprises retention means 40,41a,41b for retaining said locking control means in a locked position (see fig. 3), and said unlocking control means act on the retention means to unlock the wheels (see fig. 4).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Haley (US 4,084,663)

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Bigo (US 4,953,667)

Pfisterer (US 5,346,039)

Eagan (US 5,370,408)

Cheng et al. (US 5,765,665)

Cheng (US 6,170,615)

Roberts (US 6,308,804)

Chen (US 6,408,990)

Eros (US 6,443,468)

Sun (US 6,598,712)

Lan (US 6,742,791)

Chen (US 6,817,451)

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mariano Sy whose telephone number is 703-308-3427. The examiner can normally be reached on Mon.-Fri. from 9:00 A.M. to 3:00 P.M.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Bucci, can be reached on 703-308-3668. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

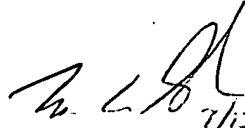
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only.

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For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 M. Sy

January 13, 2005

  
7/13/2004  
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GROUP 310